

THE HONOURABLE Ms. JUSTICE G. ROHINI

W.P. No.21325 of 2006

ORDER:

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The Special Deputy Collector, (Tribal Welfare), Bhadrachalam in exercise of powers conferred under Section 3(2)(a) of A.P. Scheduled Areas Land of Transfer Regulations 1 of 1959 passed an order of ejectment of the petitioner from the land situated in Survey No.97/AA of Amerdha Village, Aswapuram Mandal, Khamma District to an extent of Ac.3.17 guntas. Aggrieved by the same, the petitioner preferred an appeal before the 1st respondent on 30-05-2005 along with an application seeking stay of operation of the order of ejectment.

The grievance of the petitioner is that though the appeal was entertained and numbered as C.M.A. No.68 of 2005, the 1st respondent failed to consider his application for stay and no orders have been passed so far. But in the meanwhile, the 2nd respondent is taking steps to execute the order of ejectment dated 14-02-2005. Hence, this writ petition.

Having heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare appearing for respondents 1 and 2 and keeping in view that the statutory appeal is pending before the 1st respondent, I am of the opinion that it would be appropriate to maintain *status quo* with regard to the land in question, till the appeal is decided by the 1st respondent. Accordingly, without expressing any opinion on merits, the writ petition is disposed of with a direction to the 1st respondent to dispose of the appeal pending on his file, as expeditiously as possible, preferably within a period of three months from the date of receipt of this order. Till such time, *status quo* obtaining as on today as to the nature and possession of

the land in question, which is subject matter of the C.M.A. No.68 of 2005 pending before the 1st respondent, shall be maintained. No order as to costs.

JUSTICE G. ROHINI

Date: 16-10-2006

Note: Furnish C.C. in two days.

B/o.

LSK